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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,112	06/27/2003	Tsung-Chiang Lee	BHT/3167-136	3647

7590 09/07/2005
BRUCE H. TROXELL
SUITE 1404
5205 LEESBURG PIKE
FALLS CHURCH, VA 22041

EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/607,112	LEE, TSUNG-CHIANG	
	Examiner	Art Unit	
	Quoc D. Tran	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) 2,3 and 5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 6-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leonaggeo et al (5,646,605) in view of Acimovic et al (5,517,185).

Consider claim 1, Leonaggeo et al teach a remote lock and unlock system comprising: a data base, storing the resident codes, the phone numbers and the identity recognizing codes of the residents of the community (col. 4 lines 37-63; col. 5 lines 14-23); a communication module, coupled with public switch telephone networks, providing the communicating function between the visitors and the residents, and receiving the incoming phone calls (col. 3 lines 53-65); a CPU, connected with said data base and said communication module respectively (col. 5 lines 14-33); an incoming phone numbers collecting module, connected with said communication module and said CPU respectively, collecting the incoming phone numbers, said CPU can compare said incoming phone numbers and the phone numbers of the residents stored in said data base, when the incoming phone number is identical to one of the phone numbers of the residents in said data base, said CPU will send a signal to unlock (col. 4 lines 49-63; col. 7 lines 32-45); a RF identification device, for detecting the RF messages of identity recognizing and sending to said CPU, said CPU can compare said RF messages with said identity recognizing codes stored in

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said data base, when said RF message is identical to that of the resident in said data base, said CPU will send a signal to unlock (col. 4 lines 1-9, lines 37-63; col. 7 lines 32-45); and a remote control receiving means, for receiving remote control messages of identity recognizing and sending to said CPU, said CPU can compare said remote control messages with the identity recognizing codes stored in said data base, when the remote control message is identical to one of the identity recognizing codes of the residents, said CPU will send a signal to unlock (col. 1 lines 8-10; col. 4 lines 49-63; col. 7 lines 32-45); wherein said phone numbers of the residents stored in said database comprise wired telephone numbers and cellular phone numbers of the residents (col. 4 lines 49-63; col. 5 lines 14-48), and when the incoming phone number of said cellular phone collected by said incoming phone number collecting module is identical to one of the phone numbers stored in said database, said CPU will send a signal to unlock said gate, whereby the resident can use a cellular phone to dial said entrance intercom system for unlocking said gate (col. 4 lines 49-63; col. 7 lines 32-52).

Leonaggeo et al suggested wherein the remote lock devices can desks, office machines, file cabinets and doors. Leonaggeo et al did not suggest the system being implement as an entrance intercom system, *fabricated on the gate* of a community, providing the functions of communicating between visitors and residents, identity recognizing, locking/unlocking the gate and wherein responsive to the resident codes input by the visitors via a dialing keyboard, to select the phone numbers of the resident stored in said data base, and to drive said communication module automatically to dial the resident for providing the communicating function between the visitors and the resident. However, Acimovic et al suggested such (see abstract; col. 6 lines 21-65).

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Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Acimovic et al into view of Leonaggeo et al in order to increasing security in gated communities.

Consider claim 6, Leonaggeo et al teach a method to manage data of an entrance intercom system, comprises a database for storing the resident codes, the wired phone numbers and the cellular phone numbers of the residents (col. 4 lines 37-63; col. 5 lines 14-23), said entrance intercom system can be applied to contact with the residents via public switch telephone networks (col. 3 lines 53-65), said method comprises the steps of: making a set of record when said entrance intercom system is applied to dial, to answer a phone call, or locking/unlocking the gate; dialing a system service provider at a predetermined time to contact with a computer of the system service provider; uploading the records to said computer of the system service provider; and downloading data from said computer of the system service provider to upgrade said database (col. 6 lines 39-60).

Leonaggeo et al suggested wherein the remote lock devices can desks, office machines, file cabinets and doors. Leonaggeo et al did not suggest wherein said entrance intercom system is fabricated on a gate of a community to provide the functions of communicating between visitors and residents, identity recognizing, locking/unlocking the gate. However, Acimovic et al suggested such (see abstract; col. 6 lines 21-65).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Acimovic et al into view of Leonaggeo et al in order to increasing security in gated communities.

Consider claim 7, Leonaggeo et al teach wherein said records comprise dialed phone numbers, incoming phone numbers, the messages gotten from ID cards, and the time to lock/unlock the gate (col. 6 lines 39-67; col. 12 lines 42-49).

Consider claim 8, Leonaggeo et al teach wherein said entrance intercom system can connect to the computer of the system service provider via the internet to upload said records and download said data (col. 6 line 61 – col. 7 line 31).

Consider claim 9, Leonaggeo et al teach wherein said predetermined time is at AM 2-4 clock (col. 6 lines 6 lines 39-60). It should be noted that maintenance of the system could be perform at any preferred time.

Consider claim 10, Leonaggeo et al teach wherein said upgraded data downloaded from the system service provider comprise the information of moving out/in of the residents and the data to update said entrance intercom system (col. 6 line 39 – col. 7 line 31).

Consider claim 11, Leonaggeo et al teach wherein said data downloaded from the system service provider comprise the resident information, the wired phone number, the cellular phone number and the resident code (col. 6 line 39 – col. 7 line 31).

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leonaggeo et al (5,646,605) in view of Acimovic et al (5,517,185) and further in view of Jean-Claude et al (6,078,653).

Consider claim 4, Leonaggeo and Acimovic et al did not suggest when said communication module is utilized to dial the wired telephone of the resident, if said wired telephone is busy or no answer, said communication module will automatically dial the cellular phone of the resident. However, Jean-Claude et al suggested such (col. 15 lines 4-10). Therefore,

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it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jean-Claude et al into view of Leonaggeo and Acimovic et al in order to improve the availability of the tenants.

Response to Arguments

4. Applicant's arguments filed 6/22/2005 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., use their cellular as a key to pass the identity recognition and to open the gate...) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding applicant argument that Leonaggeo et al does not describe the method of managing data of an entrance intercom system including the step of making records when said entrance intercom system is applied to dial, to answer a phone call or locking/unlocking the gate...Accordingly, the examiner respectfully disagrees with applicant argument. Leonaggeo et al disclosed a security utility subsystem that enable the user manage and to configured various mode of the security system (i.e., lock and unlock device) including time of day in which to response to certain event. This clearly read on applicant limitation as claimed.

Applicant continues on with similar arguments. Therefore, the response will be the same as those addresses above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. Any response to this action should be mailed to:

Mail Stop ____ (explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

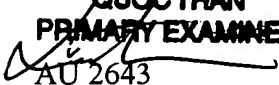
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOCTRAN
PRIMARY EXAMINER


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September 5, 2005